

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS <b>FILED</b>	
APR 13 2005	
CLERK, U.S. DISTRICT COURT	
By _____	Deputy

ROBERT JAMES FOX

§

Plaintiff,

§

VS.

§

NO. 3-05-CV-0660-K

COUNTY OF DALLAS,  
ET AL.

§

Defendant.

§

**FINDINGS AND RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE**

This is a civil rights action brought by Plaintiff Robert James Fox, appearing *pro se* and *in forma pauperis*, against the County of Dallas, the City of Garland, and various named and unnamed elected officials and municipal employees. In a rambling and disjointed 30-page complaint, plaintiff alleges that defendants unlawfully seized his property, sold the property at auction, and used the proceeds to benefit the City of Garland. Plaintiff further alleges that he was unlawfully detained and tortured by Garland law enforcement officers in order to coerce his confession. Process has been withheld pending a review of the complaint under 28 U.S.C. § 1915.

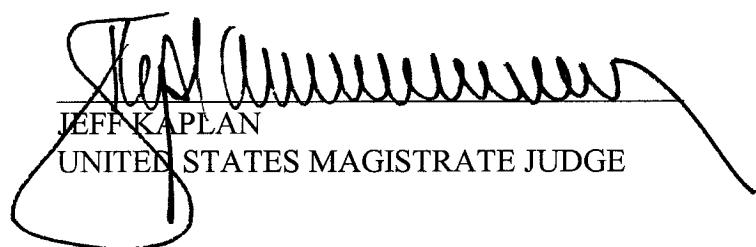
Plaintiff is no stranger to the civil justice system. In fact, he has filed eight different federal lawsuits that were dismissed as frivolous or for failure to state a claim. This litigiousness prompted another judge in this district to require plaintiff to obtain permission of the court before filing any future litigation in the Northern District of Texas. *Fox v. Pope*, 2001 WL 167913 at \*3 (N.D. Tex. Jan. 19, 2001) (Buchmeyer, C.J.). No such leave has been sought or obtained. Consequently,

plaintiff should not be allowed to prosecute this action.<sup>1</sup>

**RECOMMENDATION**

The district clerk should be ordered to unfile the complaint received on April 5, 2005.

DATED: April 13, 2005.

  
JEFF KAPLAN  
UNITED STATES MAGISTRATE JUDGE

---

<sup>1</sup> Plaintiff originally filed his complaint in the United States District Court for the District of Columbia. By order dated February 11, 2005, venue was transferred to the Northern District of Texas because "[t]he District of Columbia has no apparent connection to this case aside from being the capital of the United States." *Fox v. County of Dallas*, No. 05-0377, op. at 2 (D.D.C. Feb. 11, 2005). Plaintiff cannot avoid this court's order requiring him to obtain permission before filing any future litigation in this district by filing suit in the District of Columbia.